

WASTE TIRE FACILITY PERMIT

1. Facility/Permit Number:

50-TI-0010

2. Name and Street Address of Facility:

Oxford Tire Recycling
4549 Ingram Creek Road
Westley, CA 95387

3. Name and Mailing Address of Operator:

Stan Patterson
Oxford Tire Recycling Inc.
P.O. Box 969
Westley, CA 95387-0969

4. Name and Mailing Address of Owner:

Edward Filbin
c/o Nomellini & Grilli
P.O. Box 1461
Stockton, CA 95201

5. Specifications:

- a. Permit Type: ☒ Major Waste Tire Facility ☐ Minor Waste Tire Facility
- b. Permit Action: ☒ New Permit ☐ Five (5) Year Permit Renewal
☐ Permit Modification ☐ Permit Revision
- c. Facility Status: ☒ Existing ☐ Proposed
- d. Permitted Capacity: SEE CONDITION 21 Total Number of Tons of Whole Waste Tires and Tire Equivalents Stored at any Time.
- e. Permitted Storage Area (acres): 38.5.....

The permit is granted solely to the operator named above, and is not transferable. Upon a change of operator or owner, this permit is no longer valid. Further, upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued waste tire facility permits.

6. Approval:

Authorized Officer of CIWMB

Ralph Chandler

Name

Executive Director

Title

7. Enforcement Agency Name and Address:

California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

Frequency of Inspection by Enforcement Agency:
Annually

8. Date Application Received:

October 24, 1995

9. Date Application Deemed complete:

October 24, 1995

10. Permit Issued Date:

May 8, 1996

11. Permit Application Renewal due Date:

April 8, 2000

12. Expiration Date:

May 8, 2001

ATTACHMENT 12 1-95

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3. Legal Description of Facility:

Latitude 37°33'N Longitude 121°18'W Solyo USGS Quad Section 28, Township 4S, Range 6E, County designated PD-91 leasehold as of September 1, 1995, including waste tires stored to the north and east of PD-91, but excluding waste tires stored to the south of PD-91 and in the Tire Delivery Area defined as areas E2 and F2 in the November 2, 1995, report entitled Oxford Scrap Tire Site Volume Study, Westley, California, prepared by Psomas and Associates

4. Findings:

- a. This permit is consistent with standards adopted by the California Integrated Waste Management Board (CIWMB).
- b. The design and operation of the facility is in compliance with the Waste Tire Storage and Disposal Standards applicable to waste tire facilities.
- c. There has been no substantial change in the design or operation of the facility between January 1, 1990 and the date the application was filed. Therefore, in accordance with Public Resources Code Section 42812, an environmental review was not performed for the issuance of this waste tire facility permit.

15. The following documents also describe and/or restrict the operation of this facility:

	Date		Date
[x] Application for Waste Tire Facility Permit	10/24/95	[x] Contract Agreements	
[] Land Use Permits and Conditional Use Permits		[x] Tire Supply, Delivery and Storage Agreement	10/07/93
		[x] Operation Plan	10/24/95
[] Air Pollution Permits and Variances		[] Local & County Ordinances	
[] EIR or Negative Declaration		[x] Environmental Information Form	10/24/95
[] Lease Agreements - owner and operator		[x] Emergency Response Plan	10/24/95
[x] Closure Plan	10/24/95	[x] Reduction/Elimination Plan	10/24/95
[x] Closure Financial Responsibility Document	6/24/94	[] Operating Liability Document	
[x] Local Fire Authority Agreement	8/25/95	[x] Other (list): January 31, 1990 Stipulation and Order concerning the Westley / Oxford tire pile	
[x] Vector Control Agreement	1/13/95		

16. Conditions:

1. The design and operation of the facility shall comply with both the Waste Tire Storage and Disposal Standards contained in Article 5.5 of the State Minimum Standards for Solid Waste Handling and Disposal and the 1995 PD-91 Fire Protection Agreement. In the event there is a conflict with regard to an issue addressed in both of the above documents, the PD-91 Fire Protection Agreement will take precedence. The permittee shall also comply with all of the permitting requirements in Title 14, California Code of Regulations, Division 7, Chapter 6, entitled "Permitting of Waste Tire Facilities."
2. In the event of a fire or other emergency that may have potential significant off-site effects, the permittee shall notify the Board by telephone call to the Deputy Director, Permitting and Enforcement Division, at (916) 255-2431, within 24 hours of the onset of the emergency.
3. Upon presentation of proper credentials, the Local Enforcement Agency, Board staff, or an authorized agent of the Board, shall be allowed to enter the permitted facility during normal operating hours to examine and copy books, papers, records, or memorandum and to conduct inspections and investigations pertaining to the facility.
4. Upon request, a copy of the current permit shall be made available to the Board or an authorized employee or agent of the Board during an inspection of the facility.
5. The permittee shall maintain a copy of the approved Emergency Response Plan at the facility. At the time of permit issuance the permittee shall forward a copy of the approved Emergency Response Plan to the local fire authority. The Emergency Response Plan shall be revised as necessary to reflect any changes in the operations of the waste tire facility or requirements of the local fire authority. All emergency phone numbers shall be updated immediately. The local fire authority and the Board shall be notified of any changes to the plan within 30 days of the revision.

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16. Conditions: (continued)

6. All federal, state, and local permits or approvals referenced in this permit shall be maintained in force during the term of the permit. In the event any permit or approval is modified during the term of the permit, the permittee shall notify the Board within 30 days of the change and include copies of any renewed or modified permits or approvals. In the event any permit or approval is suspended or revoked, or expires during the term of the permit, the permittee shall notify the Board within 5 working days and include copies of the pertinent documents.

7. The permittee shall submit an updated Closure Plan (Part B), Form CIWMB 504 (10/92) as specified in section 18442 of the California Code of Regulations, at least 120 days prior to the anticipated closure of the site.

8. The permittee shall file amendments to the Operation Plan whenever necessary to keep the information contained in it current.

9. This permit does not release the permittee from their responsibility under any other existing laws, ordinances, regulations, or statutes of other government agencies.

10. The terms and conditions of this permit may change as a result of a revision of the Board's statutes or regulations.

11. The permittee shall at a minimum reduce the quantity of waste tires in accordance with the following schedule:

April 1, 1996 to March 31, 1997	7,500 tons
April 1, 1997 to March 31, 1998	12,500 tons
April 1, 1998 to March 31, 1999	20,000 tons
April 1, 1999 to March 31, 2000	ELIMINATE STOCKPILE

The permittee shall report this reduction of the waste tires to the Board in writing on a quarterly basis for daily withdrawals from and additions to the stockpile. Waste tires removed from the stockpile to the Delivery Area (as identified in the October 7, 1993, Tire Supply, Delivery and Sage Agreement as amended March 28, 1996), shall not count towards the specified reduction. The report shall include a summary of the quantity of waste tires received at the facility during the reporting period in tons, with weight receipts from a scale that is inspected annually by either the Bureau of Weights and Measures of the Department of Food and Agriculture or a County Sealer of Weights and Measures. The report shall also contain copies of the manifests with the number of tons delivered on each manifest and reporting information from Modesto Energy Limited Partnership (MELP) regarding the number of tons burned during the same period. The operator shall log in daily the license numbers of trucks entering the facility carrying waste tires.

12. The Board shall be notified within 10 working days of any change in the October 7, 1993, Tire Supply, Delivery and Storage Agreement as amended March 28, 1996 or any later date or any other agreement between the permittee and MELP, including but not limited to factors such as expiration, financial terms, early termination of the agreement by force of law, or other commercial or legal development.

13. In the event that the permittee becomes responsible for those waste tires that are south of the PD-91 leasehold as of September 1, 1995, the Board shall be notified within 10 working days of this change of responsibility, and in no event shall any of the waste tires south of the PD-91 leasehold be moved into the PD-91 area without the permittee first notifying the Board. PD-91 is an approximately 40 acre area near Westley, California designated by the County of Stanislaus as PD-91.

14. The permittee shall notify the Board in writing by certified mail within 24 hours in the event that MELP is shut down for more than a two week period of time. The permittee shall also cease delivering waste tires to the facility at the end of the second week of the shutdown, and deliveries to the facility shall not commence until MELP is operating at least 75 percent capacity. The permittee may continue delivering waste tires to the facility during the shutdown if the permittee can demonstrate to the Board that an amount of waste tires greater than the annual reduction in Condition 11 by "X" amount has been achieved and that the quantity to be deposited at the facility during the shutdown will not exceed "X."

15. The permittee shall submit a complete plan to the Board no later than 180 days prior to September 1, 1997, describing how the total size of the stockpile shall be reduced in accordance with Permit Condition 11. As part of the plan, the permittee shall adjust the financial assurance demonstration to account for the portion of the waste tire stockpile that will remain on September 1, 1997. The adjusted cost shall be adequate to close the facility utilizing a method acceptable to the Board under Title 14, California Code of Regulations, Division 7, Chapter 6, Article 6, section 18441. The adjusted cost shall be approved by the Board. If the permittee does not present a complete plan, which is acceptable to the Board at least 180 days prior to September 1, 1997, with a financial assurance demonstration for the waste tire stockpile that will remain on September 1, 1997, this permit shall become null and void.

16. The permittee shall deposit sufficient funds to the approved trust fund to bring the balance to a minimum of \$75,000 by May 1, 1996 and shall make monthly deposits of \$15,000 to the approved trust fund beginning May 1, 1996. The trust fund is required to be fully funded by September 1, 1997. The deposits and balance shall be reported to the Board on a quarterly basis.

84,500

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16. Conditions: (continued)

17. The permittee shall remove from the facility and properly dispose of all waste tires delivered to the permitted facility which cannot be burned whole by MELP within 10 days of delivery, .
18. The permittee shall remove waste tires of all sizes for processing and/or offsite disposal as they are encountered in the stockpile, including waste tires which must be reduced in volume prior to burning.
19. The financial responsibility requirements in this permit do not limit the liability for the permittee of this facility.
20. Any waste tires added to or removed from the permitted area shall be added to or removed from locations specified by the Board in consultation with the West Stanislaus County Fire Protection District.
21. Permitted capacity: the total number of whole waste tires and tire equivalents stored at any time shall not exceed the quantities specified in the following schedule:
- | | |
|---------------|-------------|
| April 1, 1996 | 72,500 tons |
| April 1, 1997 | 65,000 tons |
| April 1, 1998 | 52,500 tons |
| April 1, 1999 | 32,500 tons |
| April 1, 2000 | 0 tons |
22. Violation of any of the above conditions shall constitute a basis for the revocation of this permit.

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